

THE HON'BLE SRI JUSTICE GODA RAGHURAM

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W.P.NO. 17752 OF 2006

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DATED: 25.08.2006
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Between:

Moulana Abdul Kalam Azad Educational Society,
Represented by its Vice-President,
Mr.Abdul Ahad S/o Abdul Sattar

... PETITIONER

And

The District Collector, West Godavari
District at Eluru and others

... RESPONDENTS

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W.P.NO. 17752 OF 2006

ORAL ORDER:

The grievance of the petitioner is that without initiating any acquisition proceedings under law, the officials of the third respondent's office visited the petitioner's land in an extent of Acs.3.40 cents in R.S.No.378/2B in Kanagala village, Cherukupalli Mandal, Guntur District, and have informed the petitioner that they will dispossess him and that the land is proposed to be acquired for providing house sites for weaker sections.

Since no acquisition proceedings have been initiated, the petitioner cannot be dispossessed without due process of law. If any person, including the person in public office, tries to dispossess the petitioner without due process of law, the petitioner is at liberty to use counteractive force to resist such illegal dispossession or may complain to the nearest jurisdiction police station naming the officer or officers who are trying to dispossess him, in which event, the police will be bound to register the complaint and take appropriate steps to protect the petitioner's property or in alternative, the petitioner can also initiate relevant proceedings before the Civil Court of competent jurisdiction.

As number of alternative remedies are available, this Court is not inclined to adjudicate upon the petitioner's grievance in this writ petition.

The writ petition is accordingly dismissed. The petitioner is at liberty to pursue alternative remedies. There shall be no order as to costs.

25.08.2006

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